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LETTER DATED 2 AUGUST 1995 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF YUGOSLAVIA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to refer to the arms embargo which was imposed on the former Socialist Federal Republic of Yugoslavia by Security Council resolution 713 (1991) of 25 September 1991.

In paragraph 6 of that resolution, the Security Council decided, "under Chapter VII of the Charter of the United Nations, that all States shall, for the purposes establishing peace and stability in Yugoslavia, immediately implement a general and complete embargo on all deliveries of weapons and military equipment to Yugoslavia until the Security Council decides otherwise following consultations between the Secretary-General and the Government of Yugoslavia".

The arms embargo was subsequently reaffirmed by resolutions 724 (1991) of 15 December 1991 and 820 (1993) of 17 April 1993.

The above-mentioned resolutions leave no doubt as to the nature of obligations of Member States and the importance of strict enforcement of measures imposed under Chapter VII of the Charter of the United Nations as well as the competence of the Security Council to adopt appropriate measures in response to violations of the arms embargo.

Despite the mandatory character of the resolutions of the Security Council, the latest developments give rise to serious concerns as to the observance of the arms embargo by some States. In this connection, the Yugoslav Government was profoundly disturbed by the statement adopted on 21 July 1995 in Geneva by the Ministerial Meeting of the Organization of the Islamic Conference (OIC) Contact Group on Bosnia and Herzegovina (S/1995/612). On that occasion, the Foreign Ministers of the Group stated, inter alia, that "The member countries of OIC do not consider themselves de jure obliged to respect the illegal and unjust arms embargo against the Republic of Bosnia and Herzegovina ..." and that "... they will intensify their efforts in bolstering the defence capacities of the Republic of Bosnia and Herzegovina".

The statement makes unambiguously clear that the countries members of OIC do not consider themselves de jure obliged to respect the provisions of the

relevant Security Council resolutions concerning the arms embargo, which were adopted under Chapter VII of the Charter of the United Nations. Thus, the States Members of OIC officially announced that they would openly violate basic provisions of the Charter of the United Nations and relevant Security Council resolutions.

In view of such a declaration of intent by OIC member States and the serious consequences that may arise therefrom, the Government of the Federal Republic of Yugoslavia deems it necessary that the Security Council take this matter under urgent consideration. We call upon the Secretary-General to raise this issue with the OIC member States and urge them to respect strictly the Security Council resolutions concerning the arms embargo.

I should be grateful if you would have the present letter circulated as a document of the Security Council.

(Signed) Dragomir DJOKIC
Chargé d'affaires a.i.